

# **HSCA Advisory Committee Meeting – Sept. 5, 2019**

**DNREC Lukens Field Office**

**391 Lukens Drive, New Castle, DE 19720**

**9:00 AM-12:00 PM**

**Dial In: 1-800-391-2548 Passcode: 42572172**

## **AGENDA**

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|-------------|--|-----------------|
| 9:00 – 9:05 | Introductions and Opening Remarks        | Qazi Salahuddin |
| 9:05 – 9:10 | Approval of June 6, 2019 Meeting Minutes | Qazi Salahuddin |
| 9:10 – 9:15 | Department/Division Updates              | Tim Ratsep      |

### **Legislation Passed:**

1. SB 113 – signed 8/12/19 <https://legis.delaware.gov/BillDetail?LegislationId=47517>  
This Act results from the Joint Legislative Oversight and Sunset Committee's review of the Hazardous Substance Cleanup Act Fund ("HSCA Fund"). Section 1 of the Act, which will take effect on January 1, 2021, provides that the Fund's 15% cap on administrative costs expenditures must be based on the average of the moneys deposited into the Fund over a period of the previous 10 fiscal years. The HSCA Fund tax assessment is due to expire on January 1, 2022. Section 2 of this Act removes the expiration date to ensure continued funding for the Brownfields Development Program and to address environmental liabilities assumed by the State.
  
2. HB 207 - signed 7/23/19 <https://legis.delaware.gov/BillDetail?LegislationId=47657>  
This Act expands the applicability of the Delaware Brownfields Development Program, Subchapter II, Chapter 91 of Title 7, by providing protection from liability for releases of regulated substances from underground storage tanks and aboveground storage tanks to any person approved as a Brownfields Developer who enters into a Brownfields Development Agreement, and otherwise meets the requirements of the Brownfields Development Program.
  
3. HB 208 = signed 7/31/19 <https://legis.delaware.gov/BillDetail?LegislationId=47660>  
This Act amends the Delaware Hazardous Substance Control Act to reflect recent amendments to the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This Act protects state, county, and municipal government entities from being deemed liable as "owners or operators" of hazardous substance release sites when they take title to or control of such properties through the exercise of their lawful governmental powers. Additionally, this Act protects land banks established pursuant to the Delaware Neighborhood Conservation and Land Banking Act when they assume ownership of potentially contaminated properties in accordance with the provisions and requirements of the Land Banking Act.

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| 9:15 – 9:30 | Personnel Updates | Qazi Salahuddin<br>Judy Jordan<br>Jason Sunde |
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| 9:30-10:30 | HAC Subcommittee Report-outs: |
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**Technical Subcommittee – Paul Will (Chair)**

## **Finance Subcommittee and Brownfields Development Program – Jill Williams-Hall (Chair)**

- Subcommittee report out
- Changes to Brownfields Certification Application (attached)
- BDA re-assignments; requires submission of Brownfields application by new BF developer.
- Brownfield Training Opportunities

### **EPA Real Estate Development Academy for Communities**

Plan to join the RE-Development Academy for Communities, a three-part FREE webinar series where you will learn the process for redeveloping a contaminated site through the eyes of a property developer.

**Audience:** Community members (including local governments, economic development and environmental protection departments, community nonprofits, brownfield redevelopment agencies & other local stakeholders), technical assistance providers, state and tribal partners, etc.

**Purpose:** Increase your understanding of the real estate redevelopment process through the eyes of a developer! Learn about:

- Factors that motivate or discourage development of contaminated properties.
- How & when developers make decisions.
- Special issues to consider (compatibility of site cleanup & reuse, contaminant type & location, institutional or engineering controls, etc.)
- Pre & post redevelopment activities, determining cost & return on investment

**Hosted by:** [EPA's Office of Brownfields & Land Revitalization](#)

**Dates:** Webinar series: Fridays on September 13, October 18, and November 8, 2019  
1-3pm ET

**Cost:** FREE

**Register:** [September 13 Webinar: Redevelopment Process: The Intersection of Real Estate and Brownfields](#)  
[October 18 Webinar: Peering into the Crystal Ball: How the Market Decides Future Use!](#)  
[November 8 Webinar: Pulling Back the Curtain: How Developers Make Money!](#)



### **New Castle County Coffee Hour**

Please join the Delaware RASCL for an informal and interactive discussion. RASCL representatives and partners will be on hand to discuss the Brownfield and Voluntary Cleanup Program through DNREC. There will be time for you to network, ask questions, and exchange ideas on your current community issues and potential mitigation or adaptation project ideas.

**Where** Route 9 Library Multipurpose Room A&B. 3022 New Castle Ave, New Castle, DE 19720

**When** Friday, September 20 10:30 am -12:30 pm. Coffee provided!

**Register** by 6:00 pm on Wednesday, September 18, 2019. Event is free, but space is limited.

**Registration is required.**

**Who** Municipal staff, council members, public works staff, emergency management personnel, coastal community members, consultants, engineers, state representatives, and state agencies

**Contact** Questions? Email [rasclinfo@gmail.com](mailto:rasclinfo@gmail.com)

**Register here for New Castle County Coffee Hour**

10:30-10:45

**BREAK**

10:45-11:30 **Regulatory Subcommittee (Chapters 62, 74, 74A & 91) – Judy Jordan (Chair)**

- Discuss progress on UST regulations

**Outreach and Education Subcommittee – Christina Wirtz (Chair)**

**Ecological Subcommittee – Kristen Thornton and Marian Young (co-chairs)**

11:30-12:00 New Business/Public Comment

HAC Attendees

**Next meeting – Thursday, December 5, 2019; 9:00 am – 12:00 pm –  
391 Lukens Drive, New Castle, DE 19720**